

MIOSHA Emergency Rules Update

May 25, 2021



HOW A MASK WORKS

Research shows that masks can greatly reduce the chance of spreading COVID-19, especially when approximately 40% of those who have COVID-19 may be asymptomatic. We can only contain the virus and keep Michigan open if everyone stays careful and masks up when they leave home, whether they feel sick or not.



COVID-19 spreads mainly among people who are in close contact.



All of us have droplets in coughs and sneezes that can carry COVID-19 to others.



Coughs spray droplets at least 6 feet. Sneezes travel as far as 27 feet. Droplets also may spread when we talk or raise our voice.



These droplets can land on your face or in your mouth, eyes and nose.



When you wear a mask, it keeps more of your droplets with you.



A mask also adds an extra layer of protection between you and other people's droplets.

CHANCE OF TRANSMISSION

Highest

High

Medium

Low

Lowest

Practically None

ASYMPTOMATIC OR SICK



without mask



without mask



with mask



with mask



social distancing



staying home

UNINFECTED



without mask



with mask



without mask



with mask



social distancing



staying home



Michigan Workplace Outbreaks

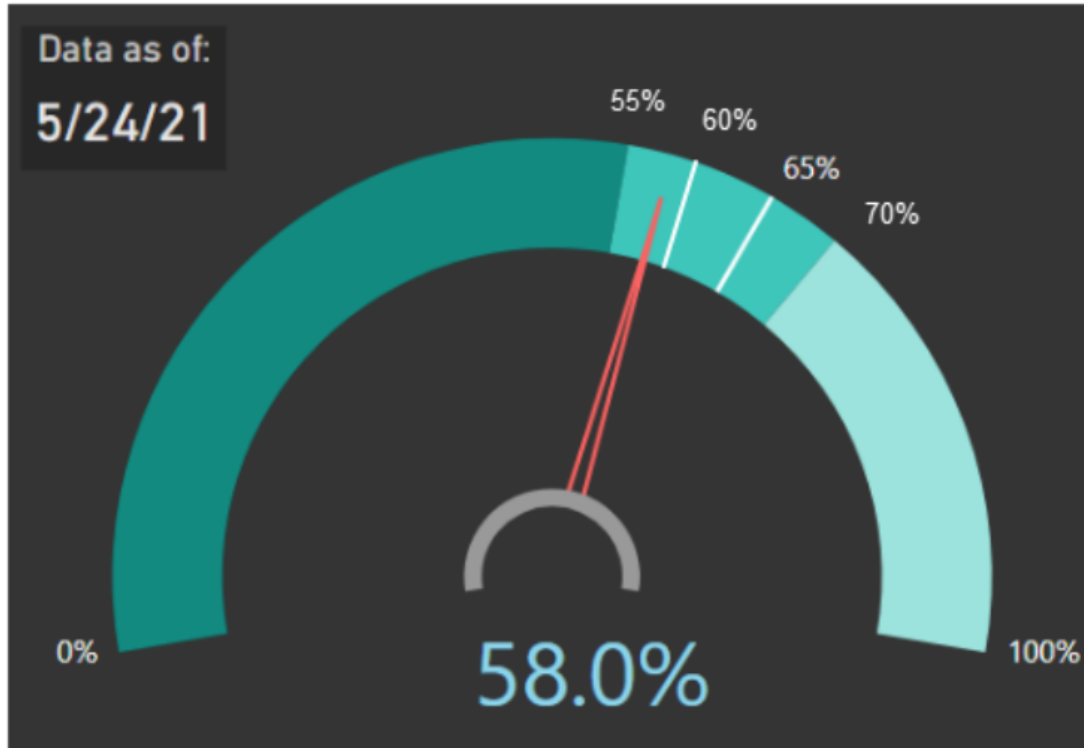


DHHS Data (5/20) - *Not including schools, colleges, childcare, nursing homes, jail/prison/detention center:*

- **Tracking 305 ongoing Workplace Outbreaks**
 - **157** – associated with Manufacturing or Construction
 - **25** – associated with Offices

- **29 new workplace Outbreaks reported on 20th**
 - **1** – Office settings
 - **14** – Manufacturing or Construction
 - **8** – Retail
 - **3** – Restaurants and bars
 - For reference, 0 reported for social gatherings
- Michigan cases per million at 88.2/million, in D category
- Michigan positivity rate at 6.5%

Michigan First-Dose Tracker



4,698,023 MI residents age 16+ with 1+ dose



8,096,917 total MI population age 16+



58.0%

For reference, 70% MI residents age 16+ is equal to 5,667,842

Source: [Michigan.gov/Coronavirus](https://michigan.gov/Coronavirus)

Understanding Your Workplace



Labor Force by Age 2020

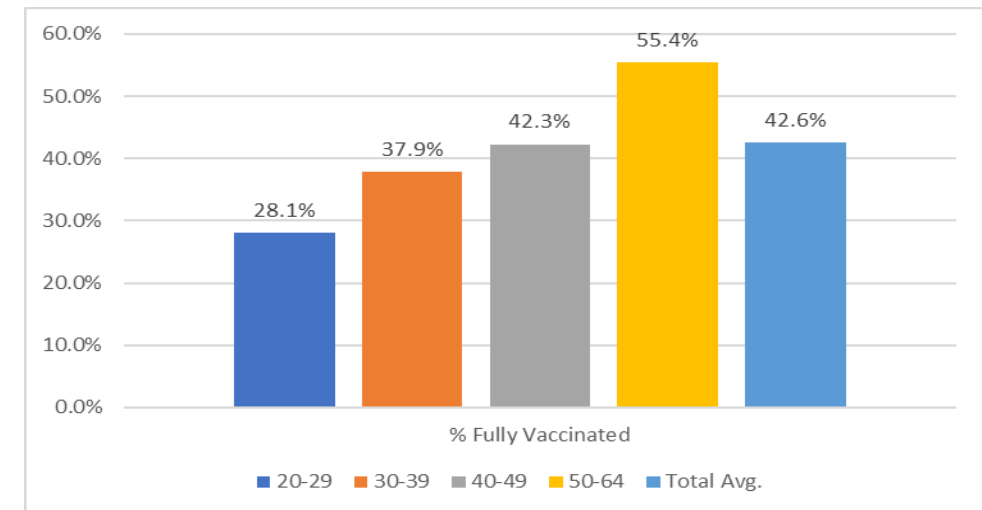
89.01% from 20 to 64

Age	Number	% in Workforce	% of Total
20-24	479,800	72.3%	9.86%
25-34	1,069,900	80.7%	21.98%
35-44	956,100	82.4%	19.64%
45-54	974,900	79.7%	20.03%
55-64	851,900	61.3%	17.50%

Source: [MiLMI.org](https://milmil.org)

Vaccination by Age 5/25/21

42.6% from 20 to 64



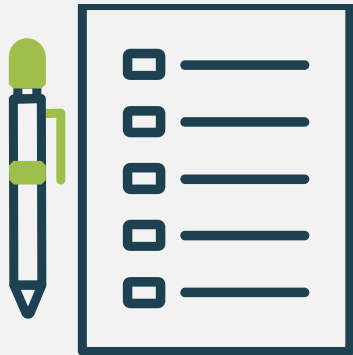
Source: [Michigan.gov/Coronavirus](https://michigan.gov/Coronavirus)



MIOSHA Emergency Rules

- Less prescriptive, more performance-based
- Focus on primary mitigation strategies:
 - preparedness and response plan
 - health screening
 - social distance
 - face coverings (where required)
 - training and record keeping

Create a COVID-19 Preparedness & Response Plan



- The plan should detail the measures the employer will implement to reduce employee exposure, including any:
 - Engineering controls
 - Administrative controls
 - Hygiene and environmental surface disinfection
 - Personal protective equipment
 - Health surveillance
 - Training

Establish Workplace Procedures

- Identify 1 or more workplace COVID-19 coordinator.
- Examine and update policies.
- Mandate face coverings as required.
- Train employees on new procedures and policies.
- Employee health screening procedures – prior to work.



Workplace Procedures – Cleaning



- The employer must increase facility cleaning and disinfection to limit exposure to SARS-CoV-2, in accordance with the latest CDC guidance.
 - CDC Recommends focusing on high-touch surfaces.
 - Disinfecting following a positive COVID-19 person in the workplace.

Workplace Procedures – Sick Employees

- Conduct daily health screenings.
- Require employees to report when they receive a positive test or are experiencing symptoms of COVID-19.
- Require employees to self-isolate. Employees should notify supervisors and stay home.
- Do not allow employees to return until home isolation criteria is met (follow CDC guidance) and inform other employees of possible workplace exposure (ADA compliant – keep confidentiality).



Employee Training



- Training should cover new policies and procedures like screening procedures and employee reporting policy.
- Be sure to train on new controls like personal protective equipment (PPE) requirements and cleaning of workspace.
- Include information about available vaccinations available for COVID-19.

Social Distancing

- **Rule 6(2)** – The employer shall ensure that any employees, **except fully vaccinated persons**, remain at least 6 feet from one another to the maximum extent feasible while on worksite premises.



Face Coverings



- **Rule 6(3)** – The employer **shall provide** non-medical grade face coverings to their employees at no cost to the employee. Employers are **not required** to provide non-medical grade face coverings to **fully vaccinated** persons.
- **Rule 6(4)** – The employer **shall require** any employee, **except fully vaccinated** persons, to wear face coverings when employees cannot consistently maintain 6 feet of separation from other individuals **indoors** in the workplace. **However**, fully vaccinated persons must continue to wear face coverings when in the **healthcare setting where patients may be present and when using airplane or public transportation** if required by the latest CDC guidance.

Face Coverings (cont'd)



- **Rule 6(5)** – Compliance with subrules (2) and (4) of this rule may be accomplished in a manner **deemed effective** for the place of employment. This may include:
 - Keeping records of whether employees are fully vaccinated persons and exempting them from subrules (2) and (4) of this rule accordingly.
 - Posting signs in the work area reminding employees that are not fully vaccinated to wear face coverings and maintain appropriate distancing.
 - Allowing or requiring remote work.
 - Requiring face and social distancing for all employees regardless of vaccination status.

COVID-19 Mitigation and Remote Work



[OSHA Protecting Workers](#)

Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace -
...Implement flexible worksites (e.g., telework)



[CDC Guidance for Businesses and Employers](#)

...feasibility of accomplishing work by telework

Return to In-Person Office Workgroup Recommendations

- Governor convened LEO-led workgroup to provide recommendations
 - 6 workgroup meetings, 6 stakeholder meetings, 3 legislative updates
 - [Michigan.gov/documents/leo/RTO-Recommendations_723603_7.pdf](https://www.michigan.gov/documents/leo/RTO-Recommendations_723603_7.pdf)

Highlights:

- **Physical workplace**
hybrid work strategies,
flexibility on returning
- **HR policies**
quarantine support,
caregiver/childcare support
- **Vaccinations**
setting goals, encouraging,
helping schedule
- **Employee Supports**
Childcare, transportation





Reminders

- **Face Coverings**
 - Protects others from you, not you from others
 - Employers may need to consider reasonable accommodations
- **Not all employees will be able to get vaccinated**
 - Employers should prepare for this
- **MIOSHA establishes Minimum Standards**
 - Employers may implement higher standards
 - e.g., continue following mitigation regardless of vaccination

Workplace Safety accomplishments

- **Developed a one-stop online resource** Michigan.gov/COVIDWorkplaceSafety guidance, preparedness plans, posters, etc.
- **Implemented 5 state emphasis programs** to focus enforcement on specific industries
- **Ambassador Program** educates and consults at-risk establishments open to the public.
- **Provided \$8.55M in safety grants** to protect employees in 1,500 Michigan workplaces.
- **Launched COVID Hotline** to support Employees and Employers **855-SAFEC19 (855-723-3219)**.





Ambassador Program

- MIOSHA launched, now partnering with NSF International
- Focused on restaurants and bars, gyms and fitness centers, small retail and some office

Tier 1:

- Pop-in visits by Consultants
- 14 question checklist
- Roughly 20 to 30 minutes

Tier 2:

- Scheduled visit by Consultant
- Can be setup during Tier 1 or scheduled independently
- Roughly 2 to 3 hours, longer checklist



MIOSHA Hotline

Employers and employees with questions regarding workplace safety and health may contact MIOSHA using the new hotline at **855-SAFE-C19 (855-723-3219)**.



Thank you.
Michigan.gov/LEO



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